



AF
JF

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Philip R. Andersen, et al. Art Unit : 1648
Serial No. : 09/963,759 Examiner : Jeffrey J. Stucker
Filed : September 25, 2001
Title : DIAGNOSTIC DEVICE USING GP40

MAIL STOP AF

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

NOTICE OF APPEAL

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the action dated April 12, 2006, finally rejecting claims 14, 17-19, and 22-23.

A petition for an extension of time under 37 CFR §1.136 to extend the time to respond to the final rejection for 3 month(s) to and including October 12, 2006 was filed on September 22, 2006.

A check in the amount of \$500 for the appeal fee is enclosed. Please apply any other charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: 11/12/2006

John W. Freeman, Esq.

Reg. No. 29,066

Fish & Richardson P.C.
225 Franklin Street
Boston, MA 02110
Telephone: (617) 542-5070
Facsimile: (617) 542-8906

21449145.doc

10/18/2006 HDENESS1 00000017 09963759

01 FC:1401

500.00 OP

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

October 12, 2006

Date of Deposit

Signature

Lisa G. Gray

Typed or Printed Name of Person Signing Certificate